

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Gottlieb offered the following:

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3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Section 1003.465, Florida Statutes, is created  
6 to read:

7 1003.465 Abstinance-only instruction; parental right to  
8 know.--

9 (1) For the purposes of this section, the term "medically  
10 accurate" means information supported by the weight of research  
11 conducted in compliance with accepted scientific methods and  
12 recognized as accurate and objective by leading professional  
13 organizations and agencies with relevant expertise in the field.

14 (2) The principal of any school that receives funding for  
15 abstinence-only instruction or a school principal who elects to  
16 provide abstinence-only instruction to students in grades 6  
17 through 12 shall, at the beginning of each school year or at the

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18 time of enrollment for a student who enrolls in a school after  
19 the beginning of the school year, mail a notice to the parents  
20 of affected students stating the following:

21 (a) Your child is receiving abstinence-only instruction.

22 (b) Abstinence-only instruction does not teach students  
23 how to prevent pregnancy or sexually transmitted infections  
24 other than by remaining abstinent.

25 (c) Your child is not receiving the following information:

26 1. Methods, other than abstinence, for preventing  
27 pregnancy and sexually transmitted infections, including, but  
28 not limited to, HIV/AIDS.

29 2. Medically accurate instruction on the risks and  
30 benefits, including safety and efficacy, of Food and Drug  
31 Administration (FDA) approved methods for:

32 a. Reducing the risk of contracting sexually transmitted  
33 infections, including HIV/AIDS.

34 b. Preventing pregnancy.

35 3. Medically accurate instruction on the correct use of  
36 FDA approved methods for:

37 a. Reducing the risk of contracting sexually transmitted  
38 infections, including HIV/AIDS.

39 b. Preventing pregnancy.

40 4. Instruction that provides sexually active students with  
41 the necessary skills for making and implementing responsible  
42 decisions about relationships and sexuality, including the use  
43 of all effective methods to prevent pregnancy and sexually  
44 transmitted infections, including HIV/AIDS.

45 (d) Parents have the right to review the abstinence-only  
46 curriculum in its entirety, and written and audio/visual

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47 educational materials used in abstinence-only instruction shall  
48 be reasonably accessible for inspection.

49 (e) Parents have the right to excuse their child from all  
50 or parts of abstinence-only instruction.

51 (f) Parents have the right to be involved in their child's  
52 education.

53 (3) Any student whose parent makes written request to the  
54 school principal shall be excused from all or parts of  
55 abstinence-only instruction. A student so excused may not be  
56 subject to disciplinary action, academic penalty, or other  
57 sanction for such excusal.

58 (4) The school shall inform parents of affected students  
59 of the opportunity for commenting through the district school  
60 board or through an alternative procedure on the abstinence-only  
61 curriculum either by including information about this process in  
62 the notification under subsection (2) or in a separate notice to  
63 be mailed at the beginning of each school year or at the time of  
64 enrollment for a student who enrolls in a school after the  
65 beginning of the school year.

66 (5) (a) Any parent who believes that he or she failed to  
67 receive the notice required under subsection (2) may file a  
68 complaint with the district school superintendent. Within 30  
69 days after receiving a complaint, the superintendent shall take  
70 any warranted corrective action and notify the complainant and  
71 the principal of the corrective action taken.

72 (b) Upon receipt of notice from the superintendent  
73 required under paragraph (a) or at least 30 days after filing a  
74 complaint with the superintendent, the parent may appeal to the  
75 district school board regarding the insufficiency of corrective

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76 action. Within 30 days after receiving the complaint, the  
77 district school board shall take any warranted corrective action  
78 and notify the complainant and the superintendent of the  
79 corrective action taken.

80 (c) Upon receipt of notice from the district school board  
81 required under paragraph (b) or at least 30 days after filing a  
82 complaint with the district school board, the parent may appeal  
83 to the Commissioner of Education regarding the insufficiency of  
84 corrective action. The commissioner shall investigate the  
85 complaint and make a finding regarding compliance with the  
86 provisions of this section. If the commissioner makes a finding  
87 of substantial noncompliance, he or she shall take corrective  
88 action, including prohibiting the school district from accepting  
89 state and federal funding for abstinence-only instruction for a  
90 period of at least one calendar year.

91 Section 2. This act shall take effect July 1, 2006.

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93 ===== T I T L E A M E N D M E N T =====

94 Remove the entire title and insert:

95 A bill to be entitled

96 An act relating to the parental right to know concerning  
97 children's abstinence-only instruction; creating s.

98 1003.465, F.S.; providing parental right to know with  
99 respect to abstinence-only instruction; defining the term

100 "medically accurate"; requiring certain school principals  
101 to mail a notice to parents regarding the provision of

102 abstinence-only instruction and the right to review the  
103 abstinence-only curriculum; authorizing excuse from such

104 instruction under certain conditions; providing a process

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105 | for parental comment on the curriculum; providing for the  
106 | filing of complaints and appeals; providing for  
107 | investigation and corrective action; providing an  
108 | effective date.